

Changes to Proposed Documents in E-Filing

The filing type **Proposed Document** is replacing the filing type **Proposed Order** in E-Filing.

Use the filing type **Proposed Document** for any document you are asking a judge or clerk to sign or issue. Documents upload under the filing type Proposed Document will not receive a certificate of service or a file stamp. They will still be eServed on other parties who have the service method of eService.

District Courts – Proposed Documents

Filing Type	Filing Subtype	Cases	Fee
Proposed Document	Arrest Warrant Proposed	ALL	
Proposed Document	Bench Warrant Proposed	ALL	
Proposed Document	Decree Proposed	DV, DR	\$50
Proposed Document	Entry of Default Proposed	DV, DR	
Proposed Document	Information Proposed*	DC	
Proposed Document	Judgment Proposed	DV, DR	\$50
Proposed Document	Jury Instructions Proposed	DC, DJ, DV	
Proposed Document	Proposed Order	All	
Proposed Document	Subpoena Proposed	All	
Proposed Document	Summons Proposed	All	
Proposed Document	Verdict Proposed	DC, DJ, DV	
Proposed Document	Writ of Assistance Proposed	DV, DR	\$5
Proposed Document	Writ of Attachment Proposed	DV, DR	\$5
Proposed Document	Writ of Execution Proposed	DV, DR	\$5
Proposed Document	Writ of Mandamus Proposed	DV, DR	\$5

*Some county attorney offices submit a proposed information for the judge to review.

Note: To file a Returned Writ (no fee) at a District Court use the filing type *Notice* and subtype *Return of Service*.

Courts of Limited Jurisdiction – Proposed Documents

Filing Type	Filing Subtype	Cases	Fee
Proposed Document	Proposed Arrest Warrant	CR, TK	
Proposed Document	Proposed Default Judgment	CV	
Proposed Document	Proposed Judgment	CV	\$20
Proposed Document	Proposed Jury Instructions	All	
Proposed Document	Proposed Order	All	
Proposed Document	Proposed Order Entering Default	CV	
Proposed Document	Proposed Order to Show Cause	All	
Proposed Document	Proposed Subpoena	All	
Proposed Document	Proposed Summons	All	
Proposed Document	Proposed Verdict Form	All	
Proposed Document	Proposed Writ of Execution	CV	

The Montana Supreme Court and trial courts which are not using FCE do not have the option for Proposed Document types. Continue to use the option Proposed Order. You can see if a trial court is using FCE in the court selection menu (e.g. Beaverhead County District Court is under the heading “District Court – FCE”).

As of March 30, 2022 these courts do not have the option for Proposed Documents: Montana Supreme Court, Fergus County District Court, Judith Basin County District Court, Billings Municipal Court, Lewiston City Court, Fergus County Justice Court, Judith Basin Justice Court, Yellowstone County Justice Court.

Using the Proposed Documents

1. On the Upload Document page click **Add Another Lead Document**.

The screenshot shows the 'Upload Documents' page with a progress bar at the top. The 'DOCUMENT' section is active, showing 'Motion - Motion to Continue' as the document name. The 'Document Filing Type' is set to 'Motion', and the 'Document Filing Subtype' is 'Motion to Continue'. A red arrow points to the 'Add Another Lead Document' link at the bottom left of the form.

2. Select the filing type **Proposed Document**.
3. Select your subtype.
4. Click **Choose File**. Upload your proposed document in MS Word or WordPerfect format. This allows the judge to make edits before signing, if necessary.

The screenshot shows the 'Upload Documents' page with the 'Proposed Document' type selected. The 'Document Filing Type' is set to 'Proposed Document', and the 'Document Filing Subtype' is 'Proposed Order'. A red arrow points to the 'Proposed Document' option in the 'Document Filing Subtype' dropdown menu.

Uploading a Proposed Document with a Fee

Some of the proposed documents will require you to pay a filing fee, such as a proposed judgment. The fee is paid before the document is signed by the judge which is consistent with the best practice guide for e-filing

judgments. Special instructions for submitting proposed judgments can be found on our website at <https://courts.mt.gov/external/efile/instructions/proposed-judgments.pdf>.

If you are submitting a proposed document with a fee, you need to choose the proposed document on the Create Filing screen and upload it as the first document on the Upload Document screen.

Example: Since a Writ of Execution Proposed has a fee associated with it, it needs to be selected on the Create Filing page and listed as the first document on the Upload document page. Any other accompanying documents can be added by clicking the link “Add Another Lead Document” on the Upload Document page.

Create Filing

COURT SELECTION ▾

Court*

Flathead County District Court ▾

Filing Category*

Existing Case ▾

EXISTING CASE ▾

Case Number* ?

DV-15-2021-1130

Filing Type*

Proposed Document ▾

Filing Subtype*

Writ of Execution Proposed ▾

Notes on Jury Instructions

Submit “Proposed Jury Instructions” under the filing type “Jury Instructions” so that they are file stamped when needed. In the same filing, also submit them using the filing type “Proposed Documents” so that the Judge may sign/edit that copy.